

## REMARKS

Claims 1-18 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 8 and 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arakawa et al. (U.S. Pat. No. 6,176,321) in view of Dochterman (U.S. Pat. No. 3,997,805). This rejection is respectfully traversed.

Applicant's note that in the previous Office Action (mailed February 8, 2005) this rejection included the statement "Arakawa et al. lacks a resilient O-ring on [the] motor plate . . . ." This rejection in the current Office Action takes the contrary position. In support of this contrary position a drawing is provided in which a darkened area in the drawing is labeled a "Resilient O-ring." No basis is identified in Arakawa et al. for the assertion that this darkened area is a resilient O-ring as claimed.

Applicants respectfully assert that a review of the drawings of Arakawa et al. shows that the darkened area has an irregular shape that is not typically present in an O-ring. Thus, Arakawa et al. appears to provide no disclosure or suggestion of an O-ring as claimed. Applicants respectfully assert it is incumbent upon the Examiner to provide some basis for its assertion that the darkened area is a resilient O-ring.

Furthermore, even if one were to assume *arguendo* that the darkened area could somehow be considered an O-ring, it would not disclose or suggest Applicants' invention as defined by the claims. Specifically, independent Claim 1 recites "a resilient

O-ring . . . . engaging the outer race of said bearing." Similarly, independent Claim 14 recites "a moulded on resilient O-ring . . . for engaging the outer race of said bearing." In contrast, the darkened area in the drawings is clearly spaced away from the outer race of any bearing. In fact, to the extent it is near a portion of the bearing, it is near the inner race thereof, and not the outer race as claimed.

This rejection additionally argues that it would be obvious to modify Arakawa et al. to add seal 22 of Dochterman thereto and cites passages that state that seal 22 prevents contaminants from entering the bearing and prevents the loss of lubricant therefrom. Independent Claim 1 recites, however, "a resilient O-ring located on the motor plate" and "a resilient sealing ring moulded onto the motor plate". Similarly, independent Claim 14 recites "a moulded on resilient sealing ring located around the central opening through the motor plate for sealing between the motor plate and the armature shaft" and "a moulded on resilient O-ring is located on the face of the motor plate". Thus, both the resilient sealing ring and the resilient O-ring of Applicants invention as recited in these claims are associated with the motor plate.

If the darkened area in the drawings is a sealing member (as labeled by the Examiner), then it would appear to already prevent contaminants from entering the bearing and would prevent the loss of lubricant therefrom. Thus, there would be no reason to add sealing ring 22 of Dochterman to this structure. Furthermore, it is unclear how the sealing member of Dochterman and the item labeled as the "Resilient O-ring" could both be associated with the item labeled as the "Motor plate" in the Arakawa et al. drawing provided by the Examiner as recited in independent Claims 1 and 14. Thus,

Applicants respectfully assert that it appears that this combination as suggested by the Examiner relies improperly in hindsight reconstruction.

For at least these reasons, Applicants respectfully assert this the inventions as recited in independent Claims 1 and 14 are not disclosed or suggested by Arakawa et al or Dochterman, either singly or in combination. Since each of the remaining claims (Claims 2-4, 8, 15 and 16) depend, directly or indirectly, from one of these claims, they are likewise patentable for at least the reasons discussed above.

#### **ALLOWABLE SUBJECT MATTER**

Claims 9-13 are indicated as being allowed. In addition, the Examiner states that Claims 5, 6 and 17 would be allowable if rewritten in independent form. Applicants believe that all of the claims are allowable for at least the reasons discussed above.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 15, 2005

By:

  
Michael E. Hilton, 33,509

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MEH/cs